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December 2, 2003

Honorable Beth Gesner
United States Magistrate-Judge
United States District Court
District of Maryland
101 West Lombard Street
Baltimore, Maryland 21201

RE: *Clarence McNair v. Andre Mackey*, Civil Action No. L-02-2281

Dear Magistrate-Judge Gesner:

Pursuant to the Scheduling Order issued by the Court in the above referenced matter, the parties are jointly submitting the following status report:

Discovery has proceeded in a cooperative manner between the parties and is on going. Discovery has been somewhat delayed by the fact that the undersigned has not been in his office on a consistent basis, due to lower back problems which will likely need surgery to correct. Given the cooperative manner in which discovery has proceeded, counsel for the parties have agreed to work beyond the discovery deadline in order to complete any outstanding discovery requests.

There are no outstanding motions that are pending before the Court. Defendant Mackey does not anticipate filing a dispositive motion at this juncture of the case. Neither party has demanded a jury trial in this case. The parties anticipate that the evidentiary hearing before the Court will take one or two days.

Lastly, the parties have not discussed the possibility of settlement of this matter. The parties have also not made a determination as to whether a referral to another Magistrate-Judge is appropriate for an Alternative Dispute Resolution conference. Settlement discussions and the possibility of an ADR conference will be discussed between the parties at the conclusion of discovery. The parties anticipate finishing discovery in early January 2004.

If the Court has any further questions or concerns, please do not hesitate to contact me.

Very truly yours,

Glenn T. Marrow

Assistant Attorney General
Federal Bar No. 23731

cc: Mont Brownlee III, Esq.